



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

F.#2012R00551

*271 Cadman Plaza East
Brooklyn, New York 11201*

September 20, 2012

By ECF

The Honorable I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Aliaksandr Zhyltsou
Criminal Docket No. 12 CR 327 (ILG)

Dear Judge Glasser:

Trial in the above matter is scheduled to begin on September 24, 2012. At this morning's status conference, the government sought permission to introduce at trial a business record from Google, Inc. ("Google"), by self-authentication rather than through the testimony of a live witness, pursuant to Federal Rules of Evidence 803(6) and 902(11). The court asked the government to brief and submit the request in writing. Out

of an abundance of caution, the government has decided to produce a live witness from Google. A trial subpoena for the production of a witness was sent to Google on September 17, 2012.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /s/
Tali Farhadian
Assistant U.S. Attorney
(718) 254-6290

cc: Chase Scolnick, Esq. (by ECF)